

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Rebecca A. Wiseman, Acting Presiding Justice; Honorable Brad Hill, Associate Justice; Honorable Stephen Kane, Associate Justice; and Charlene Ynson, Assistant Clerk/Administrator, by Melissa Lopez, Assistant Deputy Clerk.

F058001 Adria E. Underwood v. Valerie Pearce; Danielle Ricchiuti et al.

Cause called and argued by Stephanie Hamilton Borchers, Esq., counsel for appellant and by David Yengoyan, Esq., counsel for respondent Valerie Pearce. Jon Wallace Upton, Esq., counsel for respondents, Danielle Ricchiuti et al., waived oral argument.

Cause ordered submitted.

At this point Wiseman, Acting P.J. directs Gomes, Acting P.J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Gomes, Acting P.J.

F058463 People v. Casper

Cause called and argued by Peggy A. Headley, Esq., counsel for appellant and by Larenda Delaini, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F055672 Consolidated Testing Laboratories, Inc., et al. v. Seneca Insurance Company, Inc.

Cause called and argued by Shirley A. Gauvin, Esq., and Dennis R. Thelan, Esq., counsel for defendant and appellant and by Richard Crossman, Esq., and Ray T. Mullen, Esq., counsel for plaintiffs and appellants.

Cause ordered submitted.

Court recessed until Wednesday, July 14, 2010 at 1:30 P.M.

IN THE

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The court reconvened in its courtroom at 1:30 P.M. Present:
Honorable Dennis A. Cornell, Acting Presiding Justice; Honorable
Betty L. Dawson, Associate Justice; Honorable Charles S. Poochigian,
Associate Justice; and Charlene Ynson, Assistant Clerk/Administrator,
by Lisa J. Prosser, Senior Deputy Clerk.

F058346 People v. Lomax

Cause called and argued by James M. Crawford, Esq., counsel for
appellant and by Wanda Hill Rouzan, Deputy Attorney General,
counsel for respondent.

Cause ordered submitted.

F057810 People v. Ramirez

Cause called and argued by Ronald Richard Boyer, Esq., counsel
for appellant and by Lloyd G. Carter, Deputy Attorney General,
counsel for respondent.

Cause ordered submitted.

F059263 In re D.M., a Person Coming Under the Juvenile Court Law

Cause called and argued by Catherine Campbell, Esq., counsel for
appellant and by Miranda P. Neal, Deputy County Counsel, counsel
for respondent.

Cause ordered submitted.

Court recessed until Thursday, July 15, 2010 at 10:00 A.M.

F058169 People v. Ybarra

Oral argument having been waived in the above-entitled case in
accordance with the provisions of a notice mailed to counsel, the case
is submitted for decision.

IN THE
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F058169 People v. Ybarra

The five-year Penal Code section 667, subdivision (a), prior serious felony enhancement terms imposed in connection with each of counts 2, 3 and 4 are stricken. The sentence, as so modified, is vacated, and the matter is remanded to the trial court for resentencing. On remand, the trial court is directed to either impose the prior prison term enhancement or strike it pursuant to Penal Code section 1385. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F058877 Johnson v. Board of Education of the Bakersfield City School District

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F057937 People v. Harris

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F058342 In re J.T., a Person Coming Under the Juvenile Court Law

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed. Kane, J.

We concur: Wiseman, Acting P.J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F056620 Clark v. San Joaquin Community Hospital et al.

Appellant's petition for rehearing filed herein is denied.

F058371 People v. Jefferson

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE
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IN AND FOR THE
Fifth Appellate District

F056938 People v. Washington

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F057660 People v. Zagala

The superior court is directed to amend the abstract of judgment to reflect imposition of a \$30 criminal assessment fine. The superior court is further directed to transmit certified copies of the amended abstract to all appropriate parties and entities. In all other respects, the judgment of the trial court is affirmed. Poochigian, J.

We concur: Wiseman, Acting P.J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F058312 In re D.S., a Person Coming Under the Juvenile Court Law

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F058312 In re D.S., a Person Coming Under the Juvenile Court Law

The judgment is reversed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F059263 In re D.M., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.